

**63G-3-304. Emergency rulemaking procedure.**

- (1) All agencies shall comply with the rulemaking procedures of Section 63G-3-301 unless an agency finds that these procedures would:
- (a) cause an imminent peril to the public health, safety, or welfare;
  - (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
  - (c) place the agency in violation of federal or state law.
- (2) (a) When finding that its rule is excepted from regular rulemaking procedures by this section, the agency shall file with the division:
- (i) the text of the rule; and
  - (ii) a rule analysis that includes the specific reasons and justifications for its findings.
- (b) The division shall publish the rule in the bulletin as provided in Subsection 63G-3-301(4).
- (c) The agency shall notify interested persons as provided in Subsection 63G-3-301(10).
- (d) The rule becomes effective for a period not exceeding 120 days on the date of filing or any later date designated in the rule.
- (3) If the agency intends the rule to be effective beyond 120 days, the agency shall also comply with the procedures of Section 63G-3-301.

Amended by Chapter 300, 2008 General Session

Renumbered and Amended by Chapter 382, 2008 General Session